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August 19, 2021

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**By ECF To:**

The Honorable Barbara Moses  
United States Magistrate Judge  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

**MEMO ENDORSED**

Re: Jade Perdomo v. City of New York, et al., 20 Civ. 7195 (ALC) (BCM)

Dear Judge Moses:

I am counsel for Plaintiff in the above-captioned action. I write, with opposing counsel's consent, to respectfully request that the deadline to amend and to join new parties be extended by an additional three weeks, from the current deadline of tomorrow (August 20, 2021), to September 10, 2021. Your Honor set the initial deadline in the May 6, 2021 Initial Case Management Order (docket # 36), and there has been one prior extension (Order of July 30, 2021, at docket # 39)

Opposing counsel and I have been discussing back and forth whether or not Defendants would consent to Plaintiff's proposed Second Amended Complaint, and have exchanged edits of same as part of those discussions, as recently as yesterday evening EST. As of now, Defendants still will not consent to its filing, but those discussions and exchanges continue, and it is possible that Defendants may still consent to its filing, which would avoid unnecessary motion practice. The proposed amendment seeks to add one additional Defendant, a Detective Rodney (who, at the time of the incident, was a Police Officer named O'Sullivan), in relation to Plaintiff's excessively tight handcuffing claims, and adds the full name of Defendant Lee, and makes some minimal further factual allegations concerning the tight handcuffing claims and the interrogation claims, and articulates a claim under the NY Family Court Act concerning the interrogation of Plaintiff, who was 15 years old at the time of the incident.

The requested extension would allow opposing counsel and I to continue our discussions concerning whether Defendants will consent to the amendment (thus avoiding the need for unnecessary motion practice), and will also allow me the time to prepare the motion papers if they will not. I am, additionally, on an extended vacation with my family until September 2<sup>nd</sup>. While I am able to prepare and file a motion to amend in this case while I am away, I am also

working in close quarters with my young daughter present, which renders such difficult, and I would also appreciate the extra time to file any needed motion so that I can attend to this matter upon my return, and have it not cut into my time away with my family.

I thank the Court for its consideration in this matter.

Respectfully submitted,

/S/

Jeffrey A. Rothman  
Counsel for Plaintiff

Application GRANTED. SO ORDERED.

A handwritten signature in blue ink, appearing to read "Barbara Moses", is written over a horizontal line.

Barbara Moses  
United States Magistrate Judge  
August 20, 2021